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24978	7590	01/18/2006	STACE, BRENT S

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ART UNIT	PAPER NUMBER
2161	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/619,938	BECK ET AL.
	Examiner	Art Unit	
	Brent S. Stace	2161	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 July 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-50</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-50</u> is/are rejected.

7)☒ Claim(s) <u>5,37-42 and 44-46</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>15 July 2003</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Remarks

1.   Claims 1-50 have been examined. Claims 1-50 have been rejected. This
document is the first Office action on the merits.

Specification

2.   The lengthy specification has not been checked to the extent necessary to
determine the presence of all possible minor errors. Applicant's cooperation is
requested in correcting any errors of which applicant may become aware in the
specification.

Drawings

3.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4)
because reference character "20" has been used to designate both an interactive online
research system and parts of a preferred interactive online research system. Corrected
drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office
action to avoid abandonment of the application. Any amended replacement drawing
sheet should include all of the figures appearing on the immediate prior version of the
sheet, even if only one figure is being amended. Each drawing sheet submitted after the
filing date of an application must be labeled in the top margin as either "Replacement
Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by

the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Fig. 5, part 305. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

5.   Claims 5, 37-42 and 44-46 are objected to because of the following informalities:

    a.   Claim 5 depends from Claim 5. This is an improper dependant claim. It appears that the applicants intended the claim to depend from Claim 1 and will be treated as such for the remainder of this Office action.

b.   Claim 37 recites "wherein said step of associating associating the online

site" in lines 1-2. This appears to be a typographical error repeating the word

"associating" unnecessarily. This objection propagates downward through the

dependant Claims 38-42 and 44-46, therefore, the dependant claims are also

objected to on the same ground(s).

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

7.   Claims 22, 24-29, 35, and 45-46 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

8.   Claim 22 recites the limitation "the first value" in line 2. There is insufficient

antecedent basis for this limitation in the claim. This rejection propagates downward

through the dependant Claim 23, therefore, the dependant claim is also rejected to on

the same ground(s).

9.   Claim 24 recites the limitation "the appeal" in line 1. There is insufficient

antecedent basis for this limitation in the claim. This rejection propagates downward

through the dependant Claim 25, therefore, the dependant claim is also rejected to on

the same ground(s).

10.   Claims 24 and 25 recites the limitation "the user" in line 2. There is insufficient

antecedent basis for this limitation in the claims.

11.   Claim 26 recites the limitation "online set" in line 2. There is insufficient

antecedent basis for this limitation in the claim. This rejection propagates downward

through the dependant Claims 27-29, therefore, the dependant claims are also rejected

to on the same ground(s).

12.   Claim 35 recites the limitation "Web site" in line 2. There is insufficient

antecedent basis for this limitation in the claim.

13.   Claim 45 recites the limitation "the keyword auction provider" in line 3. There is

insufficient antecedent basis for this limitation in the claim. This rejection propagates

downward through the dependant Claim 46, therefore, the dependant claim is also

rejected to on the same ground(s).

Claim Rejections - 35 USC § 102

14.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15.   Claims 1, 2, 4, 5, 10-12, 17, 18, 30-33, 35-37, 40, 42-44, and 47-50 are rejected

under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,571,236 (Ruppelt).

16.   **Claim 1** can be mapped to Ruppelt as follows: "A method of locating an online

site, [Ruppelt, col. 1, lines 1-3 with Ruppelt, col. 2, lines 65-67 with Ruppelt, col. 3, lines

1-7 with Ruppelt, col. 3, lines 30-34] comprising:

- providing a question associated with a plurality of predefined answers; [Ruppelt,

   col. ,3 lines 35-37 with Ruppelt, col. 4, lines 1-11 with Ruppelt, Fig. 3]

- receiving one of the plurality of predefined answers, the one of the plurality of

   predefined answers being associated with a keyword; [Ruppelt, col. 3, lines 61-

   65 with Ruppelt, Fig. 3]

- retrieving a link for the online site, the online site being associated with the

   keyword" [Ruppelt, col. 3, lines 30-34 with Ruppelt, col. 4, lines 55-60].

17.   **Claim 2** can be mapped to Ruppelt as follows: "The method of claim 1 wherein

the step of providing comprises:

- retrieving a survey page, the page including the question; [Ruppelt, col. 3, lines

   35-37 with Ruppelt, Fig. 3]

- presenting the survey page to a user within a Web property" [Ruppelt, col. 2,

   lines 56-67 with Ruppelt, Fig. 3].

18.   **Claim 4** can be mapped to Ruppelt as follows: "The method of claim 1 wherein

the link is a uniform resource locator (URL) " [Ruppelt, col. 4, lines 55-59].

19.   **Claim 5** can be mapped to Ruppelt as follows: "The method of claim 5 wherein

the question is stored according to a question profile, and wherein each of the plurality

of predefined answers is stored according to an answer profile" [Ruppelt, cols. 3-4, lines 61-24].

20.   **Claim 10** can be mapped to Ruppelt as follows: "The method of claim 2 further comprising the step of:

- displaying the link in a window of the Web property" [Ruppelt, col. 3, lines 29-34 with Ruppelt, Fig. 3].

21.   **Claim 11** can be mapped to Ruppelt as follows: "The method of claim 1 further comprising the step of:

- redirecting the user to the online site via the link" [Ruppelt, col. 3, lines 30-34].

22.   **Claim 12** can be mapped to Ruppelt as follows: "The method of claim 11 wherein the step of redirecting the user to the online site further comprises displaying the online site in a window of the Web property" [Ruppelt, col. 3, lines 30-34 with Ruppelt, col. 2, lines 57-67].

23.   **Claim 17** can be mapped to Ruppelt as follows: "The method of claim 1 wherein the step of retrieving a link comprises the steps of:

- retrieving a plurality of links; [Ruppelt, col. 4, lines 12-17]

- selecting at least one of the plurality of links" [Ruppelt, col. 4, lines 25-38].

24.   **Claim 18** can be mapped to Ruppelt as follows: "The method of claim 1 wherein the step of selecting at least one of the plurality of links comprises:

- determining an order of preference from among the plurality of links; [Ruppelt, col. 4, lines 20-25]

- retrieving the link, wherein the link is highest in the order of preference" [Ruppelt, col. 4, lines 25-38].

25.   **Claim 30** can be mapped to Ruppelt as follows: "The method of claim 1 further comprising the step of:

- presenting at least one additional question to the user based on the answer received to a previous question" [Ruppelt, col. 4, lines 10-13 with Ruppelt, col. 4, lines 46-50].

26.   **Claim 31** can be mapped to Ruppelt as follows: "A method of locating an online site or document, [Ruppelt, col. 1, lines 1-3 with Ruppelt, col. 2, lines 65-67 with Ruppelt, col. 3, lines 1-7 with Ruppelt, col. 3, lines 30-34] the method comprising the steps of:

- receiving at least one question; [Ruppelt, col. 4, lines 7-11]

- submitting an answer to the at least one question, the answer having a predefined association with the online site or document; [Ruppelt, col. 4, lines 7-11 with Ruppelt, col. 4, lines 17-33]

- displaying the online site or document" [Ruppelt, col. 4, lines 30-33 with Ruppelt, Fig. 3].

27.   **Claim 32** can be mapped to Ruppelt as follows: "The method of claim 31 wherein said step of receiving comprises:

- displaying a page including the at least one question and a plurality of predetermined answers via a Web browser" [Ruppelt, col. 4, lines 49-56 with Ruppelt, col. 2, lines 56-67 with Ruppelt, Fig. 3].

28.   **Claim 33** can be mapped to Ruppelt as follows: "The method of claim 32 wherein

said step of submitting an answer comprises:

- selecting one of the plurality of predetermined answers by activating a control on

  the displayed page" [Ruppelt, col. 4, lines 49-56 with Ruppelt, Fig. 3].

29.   **Claim 35** can be mapped to Ruppelt as follows: "The method of claim 31 wherein

the step of displaying the Web site comprises the steps of:

- receiving a page displaying a link to the online site or document; [Ruppelt, col. 3,

  lines 30-34 with Ruppelt, col. 4, lines 55-60]

- selecting the link to display the online site or document" [Ruppelt, col. 4, lines 30-

  34 or Ruppelt, col. 3, lines 30-34 with Ruppelt, col. 4, lines 55-60 with Ruppelt,

  Fig. 3].

30.   **Claim 36** can be mapped to Ruppelt as follows: "A method of providing an online

site or document, [Ruppelt, col. 1, lines 1-3 with Ruppelt, col. 2, lines 65-67 with

Ruppelt, col. 3, lines 1-7 with Ruppelt, col. 3, lines 30-34] the method comprising:

- associating the online site or document with a predefined answer to a question,

  the question having a plurality of selectable answers including the predefined

  answer; [Ruppelt, col. 3, lines 35-45 with Ruppelt, col. 4, lines 7-13 with Ruppelt,

  col. 4, lines 50-55]

- presenting the question; [Ruppelt, col. 4, lines 7-13]

- receiving one of the plurality of selectable answers; [Ruppelt, col. 4, lines 7-13]

- if the received one of the plurality of selectable answers is the predefined answer, retrieving the associated online site or document; [Ruppelt, col. 4, lines 50-55]

- providing the retrieved associated online site or document" [Ruppelt, col. 4, lines 30-33 with Ruppelt, Fig. 3].

31.   **Claim 37** can be mapped to Ruppelt as follows: "The method of claim 36 wherein said step of associating associating the online site or document with a predefined answer comprises the step of:

- associating at least one keyword with the predefined answer, the at least one keyword being associated with the online site or document" [Ruppelt, col. 3, lines 57-65].

32.   **Claim 40** can be mapped to Ruppelt as follows: "The method of claim 37 wherein the association between the keyword and the online site or document is based on information from a search engine" [Ruppelt, col. 3, lines 57-61].

33.   **Claim 42** can be mapped to Ruppelt as follows: "The method of claim 37 wherein said step of presenting the question comprises displaying the question and the plurality of selectable answers within the Web property" [Ruppelt, col. 4, lines 39-48 with Ruppelt, Fig. 3].

34.   **Claim 43** can be mapped to Ruppelt as follows: "The method of claim 36 wherein the online site or document is at least one of a Web page and Web site" [Ruppelt, col. 3, lines 30-34 with Ruppelt, col. 2, lines 57-67].

35.   **Claim 44** can be mapped to Ruppelt as follows: "The method of claim 37 wherein

the predefined answer is associated with a plurality of documents including the online

site or document, [Ruppelt, col. 4, lines 13-34] and wherein said step of retrieving the

associated online site or document includes:

- selecting the online site or document from among the plurality of documents"

    [Ruppelt, col. 4, lines 13-34].

36.   **Claim 47** can be mapped to Ruppelt as follows: "A method of providing an online

site or document, the method comprising:

- associating one or more keywords with a predefined answer to a question, the

    question having a plurality of selectable answers including the predefined

    answer;

- presenting the question; [Ruppelt, col. 4, lines 7-13]

- receiving one of the plurality of selectable answers; [Ruppelt, col. 4, lines 7-13]

- if the received one of the plurality of selectable answers is the predefined

    answer, using the associated one or more keywords to retrieve a link to the

    online site or document; [Ruppelt, col. 3, lines 61-65 with Ruppelt, col. 4, lines 1-

    7 with Ruppelt, col. 4, lines 17-34]

- presenting at least one of the retrieved link and the online site or document"

    [Ruppelt, col. 3, lines 30-34 with Ruppelt, col. 4, lines 55-60, with Ruppelt, Fig. 3].

37.   **Claim 48** encompasses substantially the same scope of the invention as that of

Claim 47, in addition to a system and some means for performing the method steps of

Claim 47. Therefore, Claim 48 is rejected for the same reasons as stated above with

respect to Claim 47.

38.   **Claim 49** encompasses substantially the same scope of the invention as that of

Claim 47, in addition to a program storage device and some instructions for performing

the method steps of Claim 47. Therefore, Claim 49 is rejected for the same reasons as

stated above with respect to Claim 47.

39.   **Claim 50** encompasses substantially the same scope of the invention as that of

Claim 47, in addition to an apparatus and some actions for performing the method steps

of Claim 47. Therefore, Claim 50 is rejected for the same reasons as stated above with

respect to Claim 47.

Claim Rejections - 35 USC § 103

40.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

41.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

42.   Claims 3, 6, 7, 13, and 19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent No. 6,571,236 (Ruppelt) in view of U.S. Patent No.

5,884,302 (Ho).

43.   For **Claim 3**, Ruppelt teaches: "The method of claim 2... the keyword" [Ruppelt,

col. 3, lines 16-21 with Ruppelt, col. 4, lines 60-65].

Ruppelt discloses the above limitations but does not expressly teach:

- "...wherein the question, the plurality of predefined answers, ... and the link are

  stored within a database."

With respect to Claim 3, an analogous art, Ho, teaches:

- "...wherein the question, the plurality of predefined answers, ... and the link are

  stored within a database" [Ho, col. 20, lines 18-21].

It would have been obvious to one of ordinary skill in the art at the time of

invention to combine Ho with Ruppelt because both inventions are directed towards

answering questions on computer(s).

Ho's invention would have been expected to successfully work well with

Ruppelt's invention because both inventions use databases. Ruppelt discloses a

method and apparatus for problem diagnosis and solution comprising asking questions

to the user, and the user selecting answers to obtain links to documents, however

Ruppelt does not expressly disclose that the questions and answers are stored in the

database of Ruppelt. Ho discloses a system and method to answer a question comprising an embodiment of storing questions and their answers in a database.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the storage architecture from Ho and install it into the method of Ruppelt, thereby offering the obvious advantage of being able to quickly access a large library of questions and the associated answers.

44.   **Claim 6** can be mapped to Ruppelt (as modified by Ho) as follows: "The method of claim 3 wherein the link is associated with the keyword within the database" [Ruppelt, col. 3, lines 61-65 with Ruppelt, col. 4, lines 50-61].

45.   **Claim 7** can be mapped to Ruppelt (as modified by Ho) as follows: "The method of claim 3 wherein the database is connected to a server hosting a Web property" [Ruppelt, col. 2, lines 23-35 with Ruppelt, col. 2, lines 44-46 with Ruppelt, col. 2, lines 57-67 with Ruppelt, Fig. 1].

46.   **Claim 13** can be mapped to Ruppelt (as modified by Ho) as follows: "The method of claim 3 wherein the step of retrieving a link comprises:

- querying the database to determine if the selected one of the plurality of answers is associated with the link; [Ruppelt, col. 3, lines 61-65 with Ruppelt, col. 4, lines 50-60]

- retrieving the link from the database" [Ruppelt, col. 4, lines 50-60].

47.   **Claim 19** can be mapped to Ruppelt (as modified by Ho) as follows: "The method of claim 3 wherein the step of providing the question comprises the steps of:

- determining a rating associated with the question and the predefined answers;

  [Ruppelt, col. 3, lines 24-30 with Ruppelt, col. 4, lines 17-19]

- analyzing a plurality of questions stored in the database; [Ruppelt, col. 3, lines

  24-30]

- selecting one of the plurality of questions based on the determined rating"

  [Ruppelt, col. 4, lines 7-14 with Ruppelt, col. 4, lines 45-50].

Ruppelt does not teach determining a rating associated with the question and the

predefined answers. However, Ruppelt teaches rating answers to gain a higher degree

of relevancy. Therefore, this rating is applied to the case based reasoning tool of

Ruppelt to gain the obvious advantage of the processing circuit being able to determine

what best case based reasoning tool(s) to use on the user.

48.   Claims 14, 15, 20, 39, 41, 45 and 46 are rejected under 35 U.S.C. 103(a) as

being unpatentable over U.S. Patent No. 6,571,236 (Ruppelt) in view of U.S. Patent No.

5,884,302 (Ho), further in view of U.S. Patent Application Publication No. 2003/0050929

(Bookman et al.)

49.   For **Claim 14**, Ruppelt (as modified by Ho) teaches: "The method of claim 3."

        Ruppelt (as modified by Ho) discloses the above limitation but does not expressly

teach:

- "...wherein the keyword is provided to the database by a keyword auction

  provider."

  With respect to Claim 14, an analogous art, Bookman, teaches:

- "...wherein the keyword is provided to the database by a keyword auction provider" [Bookman, paragraph [0153]].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Bookman with Ruppelt (as modified by Ho) because both inventions are directed towards using a database.

Bookman's invention would have been expected to successfully work well with Ruppelt (as modified by Ho)'s invention because both inventions use databases. Ruppelt (as modified by Ho) discloses a method and apparatus for problem diagnosis and solution comprising using keywords, however Ruppelt (as modified by Ho) does not expressly disclose that these keywords can come from a keyword auction provider. Bookman discloses automated creation and delivery of database content comprising sponsored dictionaries containing terms.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the dictionary of terms from Bookman and install it into the method of Ruppelt (as modified by Ho), thereby offering the obvious advantage of a means of making money by the use of Ruppelt's invention, and providing more results to users by using more keywords.

50.   For **Claim 15**, Ruppelt (as modified by Ho) teaches: "The method of claim 3."

Ruppelt (as modified by Ho) discloses the above limitation but does not expressly teach: "...wherein the keyword is provided to the database by a sponsor."

With respect to Claim 15, an analogous art, Bookman, teaches: "...wherein the keyword is provided to the database by a sponsor" [Bookman, paragraph [0153]].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Bookman with Ruppelt (as modified by Ho) because both inventions are directed towards using a database.

Bookman's invention would have been expected to successfully work well with Ruppelt (as modified by Ho)'s invention because both inventions use databases. Ruppelt (as modified by Ho) discloses a method and apparatus for problem diagnosis and solution comprising using keywords, however Ruppelt (as modified by Ho) does not expressly disclose that these keywords can come from a sponsor. Bookman discloses automated creation and delivery of database content comprising sponsored dictionaries containing terms.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the dictionary of terms from Bookman and install it into the method of Ruppelt (as modified by Ho), thereby offering the obvious advantage of a means of making money by the use of Ruppelt's invention, and providing more results to users.

51.   For **Claim 20**, Ruppelt (as modified by Ho) teaches: "The method of claim 19 wherein the step of determining a rating comprises the step of."

Ruppelt (as modified by Ho) discloses the above limitation but does not expressly teach:

- "...determining a first value related to remuneration related to keywords associated with the question and the predefined answers."

With respect to Claim 20, an analogous art, Bookman, teaches:

- "...determining a first value related to remuneration related to keywords associated with the question and the predefined answers" [Bookman, paragraph [0153]].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Bookman with Ruppelt (as modified by Ho) because both inventions are directed towards using a database.

Bookman's invention would have been expected to successfully work well with Ruppelt (as modified by Ho)'s invention because both inventions use databases. Ruppelt (as modified by Ho) discloses a method and apparatus for problem diagnosis and solution comprising using keywords, however Ruppelt (as modified by Ho) does not expressly disclose the determination of a first value related to remuneration related to keywords associated with the question and the predefined answers. Bookman discloses automated creation and delivery of database content comprising sponsored dictionaries containing terms.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the dictionary of terms from Bookman and install it into the method of Ruppelt (as modified by Ho), thereby offering the obvious advantage of a means of making money by the use of Ruppelt's invention, and providing more results to users.

52.   For **Claim 39**, Ruppelt (as modified by Ho) teaches: "The method of claim 37."

Ruppelt (as modified by Ho) discloses the above limitation but does not expressly teach:

- "...wherein the association between the keyword and the online site or document is based on information from a keyword auction provider."

With respect to Claim 39, an analogous art, Bookman, teaches:

- "...wherein the association between the keyword and the online site or document is based on information from a keyword auction provider" [Bookman, paragraph [0153] with Ruppelt, col. 3, lines 57-61].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Bookman with Ruppelt (as modified by Ho) because both inventions are directed towards using a database.

Bookman's invention would have been expected to successfully work well with Ruppelt (as modified by Ho)'s invention because both inventions use databases. Ruppelt (as modified by Ho) discloses a method and apparatus for problem diagnosis and solution comprising using keywords, however Ruppelt (as modified by Ho) does not expressly disclose that these keywords can come from a keyword auction provider. Bookman discloses automated creation and delivery of database content comprising sponsored dictionaries containing terms.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the dictionary of terms from Bookman and install it into the method of Ruppelt (as modified by Ho), thereby offering the obvious advantage of a means of making money by the use of Ruppelt's invention, and providing more results to users by using more keywords.

53.   **Claim 41** can be mapped to Ruppelt (as modified by Ho and Bookman) as

follows: "The method of claim 39 wherein said step of providing the online site or

document comprises the step of: providing a link to the online site or document via a

Web property" [Ruppelt, col. 3, lines 29-34 with Ruppelt, Fig. 3].

54.   For **Claim 45**, Ruppelt (as modified by Ho) teaches: "The method of claim 44."

Ruppelt (as modified by Ho) discloses the above limitation but does not expressly

teach:

- "...wherein the step of selecting the online site or document is based at least

  partially on information provided by the keyword auction provider."

  With respect to Claim 45, an analogous art, Bookman, teaches:

- "...wherein the step of selecting the online site or document is based at least

  partially on information provided by the keyword auction provider" [Bookman,

  paragraph [0153] with Ruppelt, col. 3, lines 57-61].

  It would have been obvious to one of ordinary skill in the art at the time of

invention to combine Bookman with Ruppelt (as modified by Ho) because both

inventions are directed towards using a database.

Bookman's invention would have been expected to successfully work well with

Ruppelt (as modified by Ho)'s invention because both inventions use databases.

Ruppelt (as modified by Ho) discloses a method and apparatus for problem diagnosis

and solution comprising using keywords, however Ruppelt (as modified by Ho) does not

expressly disclose that these keywords can come from a keyword auction provider.

Bookman discloses automated creation and delivery of database content comprising

sponsored dictionaries containing terms.

It would have been obvious to one of ordinary skill in the art at the time of

invention to take the dictionary of terms from Bookman and install it into the method of

Ruppelt (as modified by Ho), thereby offering the obvious advantage of a means of

making money by the use of Ruppelt's invention, and providing more results to users by

using more keywords.

55.   **Claim 46** can be mapped to Ruppelt (as modified by Ho and Bookman) as

follows: "The method of claim 45 further comprising the steps of:

- determining that the online site or document has been provided; [Bookman,

  paragraph [0153]]

- receiving remuneration directly or indirectly from the keyword auction provider"

  [Bookman, paragraph [0153]].

56.   Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 6,571,236 (Ruppelt) in view of U.S. Patent No. 5,884,302 (Ho), further in

view of U.S. Patent No. 6,539,392 (Rebane).

57.   For **Claim 21**, Ruppelt (as modified by Ho) teaches: "The method of claim 19

wherein the step of determining a rating further comprises the step of."

Ruppelt (as modified by Ho) discloses the above limitation but does not expressly

teach:

- "...determining a second value related to appeal of the user as to the question."

With respect to Claim 21, an analogous art, Rebane, teaches:

- "...determining a second value related to appeal of the user as to the question"
  [Rebane, col. 25, lines 12-38].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Rebane with Ruppelt (as modified by Ho) because both inventions are directed towards presenting information and asking questions.

Rebane's invention would have been expected to successfully work well with Ruppelt (as modified by Ho)'s invention because both inventions use questions and computers. Ruppelt (as modified by Ho) discloses a method and apparatus for problem diagnosis and solution comprising asking questions, however Ruppelt (as modified by Ho) does not expressly disclose that a value is determined related to appeal of the user as to the question. Rebane discloses a system and method for data collection, evaluation, information generation, and presentation comprising consumer survey with calculated response rates.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the rating from Rebane and install it into the method of Ruppelt (as modified by Ho), thereby offering the obvious advantage of determining the best question in the logic of Ruppelt to ask next based on other user(s) responses or lack thereof.

58.   Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,571,236 (Ruppelt) in view of U.S. Patent No. 5,884,302 (Ho) in

view of U.S. Patent No. 6,539,392 (Rebane), further in view of U.S. Patent No.

6,941,323 (Galperin).

59.   For **Claim 22**, Ruppelt (as modified by Ho and Rebane) teaches: "The method of

claim 21."

Ruppelt (as modified by Ho and Rebane) discloses the above limitation but does

not expressly teach: "...wherein the rating is derived using the first value and the

second value."

With respect to Claim 22, an analogous art, Galperin, teaches: "...wherein the

rating is derived using the first value and the second value" [Galperin, col. 15, lines 41-

45].

It would have been obvious to one of ordinary skill in the art at the time of

invention to combine Galperin with Ruppelt (as modified by Ho and Rebane) because

both inventions are directed towards retrieving information.

Galperin's invention would have been expected to successfully work well with

Ruppelt (as modified by Ho and Rebane)'s invention because both inventions use

computers. Ruppelt (as modified by Ho and Rebane) discloses a method and

apparatus for problem diagnosis and solution comprising asking questions, however

Ruppelt (as modified by Ho and Rebane) does not expressly disclose that the rating is

derived using the first value and the second value. Galperin discloses a system and

method for image comparison and retrieval by enhancing, defining, and parameterizing

objects in images comprising calculating a weight by using values.

It would have been obvious to one of ordinary skill in the art at the time of
invention to take the weight calculations from Galperinand install it into the method of
Ruppelt (as modified by Ho and Rebane), thereby offering the obvious advantage of
determining the best question in the logic of Ruppelt to ask next based on calculated
question characteristics.

60.   **Claim 23** can be mapped to Ruppelt (as modified by Ho and Rebane) as follows:
"The method of claim 22 wherein the step of determining a rating further comprises the
step of:

- adding an additional value to the rating to weight the rating" [Rebane, col. 25,
  lines 15-20].

61.   Claims 8, 9, 16, 24-26, and 29 are rejected under 35 U.S.C. 103(a) as being
unpatentable over U.S. Patent No. 6,571,236 (Ruppelt) in view of U.S. Patent No.
5,884,302 (Ho), further in view of U.S. Patent No. 6,647,383 (August et al.).

62.   For **Claim 8**, Ruppelt (as modified by Ho) teaches: "The method of claim 7."
        Ruppelt (as modified by Ho) discloses the above limitation but does not expressly
teach: "...wherein the database is connected to a server hosting a Web portal."
        With respect to Claim 8, an analogous art, August, teaches: "...wherein the
database is connected to a server hosting a Web portal" [August, cols. 11-12, lines 65-
2, with Ruppelt, col. 2, lines 56-67].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine August with Ruppelt (as modified by Ho) because both inventions are directed towards hosting web pages for a searching/document retrieval service.

August's invention would have been expected to successfully work well with Ruppelt (as modified by Ho)'s invention because both inventions use HTML documents. Ruppelt (as modified by Ho) discloses a method and apparatus for problem diagnosis and solution comprising a web server that host web pages, and, through interaction, provide users with documents, however Ruppelt (as modified by Ho) does not expressly disclose that the web server hosts a web portal. August discloses a system and method for providing interactive dialogue and interactive search functions to find information comprising collecting user information for use in the system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the user information from August and install it into the method of Ruppelt (as modified by Ho), thereby offering the obvious advantage of creating a web portal through the combination so the users of Ruppelt obtain information tailored to them.

63.   **Claim 9** can be mapped to Ruppelt (as modified by Ho and August) as follows: "The method of claim 8 wherein the user and the Web portal are connected via the Internet" [Ruppelt, col. 2, lines 23-35 with Ruppelt, col. 2, lines 44-46 with Ruppelt, col. 2, lines 57-67 with Ruppelt, Fig. 1].

64.   For **Claim 16**, Ruppelt (as modified by Ho) teaches: "The method of claim 3."

Ruppelt (as modified by Ho) discloses the above limitation but does not expressly teach: "...wherein the question is directed to at least one of demographic information of the user and an interest of the user."

With respect to Claim 16, an analogous art, August, teaches: "...wherein the question is directed to at least one of demographic information of the user and an interest of the user" [August, col. 15, lines 10-25 with August, col. 12, lines 44-47].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine August with Ruppelt (as modified by Ho) because both inventions are directed towards a searching/document retrieval service.

August's invention would have been expected to successfully work well with Ruppelt (as modified by Ho)'s invention because both inventions use a database. Ruppelt (as modified by Ho) discloses a method and apparatus for problem diagnosis and solution comprising user interaction to provide users with documents, however Ruppelt (as modified by Ho) does not expressly disclose that questions asked relate to demographc information of the user and an interest of the user. August discloses a system and method for providing interactive dialogue and interactive search functions to find information comprising collecting user information for use in the system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the user information collection, both provisioned and learned, from August and install it into the method of Ruppelt (as modified by Ho), thereby offering the obvious advantage of obtaining results supposedly of more interest to the user. In this combination, the learned information of the demographic information becomes a form

field for the provisioned data of user information so that if the user enters this data, the

system of August won't have to learn this information.

65.   For **Claim 24**, Ruppelt (as modified by Ho) teaches: "he method of claim 20."

Ruppelt (as modified by Ho) discloses the above limitation but does not expressly

teach: "...wherein the appeal of the user is based on at least one of demographic

information supplied by the user and interest information supplied from the user."

With respect to Claim 24, an analogous art, August, teaches: "...wherein the

appeal of the user is based on at least one of demographic information supplied by the

user and interest information supplied from the user" [August, col. 15, lines 10-25 with

August, col. 12, lines 44-47].

It would have been obvious to one of ordinary skill in the art at the time of

invention to combine August with Ruppelt (as modified by Ho) because both inventions

are directed towards a searching/document retrieval service.

August's invention would have been expected to successfully work well with

Ruppelt (as modified by Ho)'s invention because both inventions use a database.

Ruppelt (as modified by Ho) discloses a method and apparatus for problem diagnosis

and solution comprising user interaction to provide users with documents, however

Ruppelt (as modified by Ho) does not expressly disclose that the appeal of the user is

based on at least one of demographic information supplied by the user and interest

information supplied from the user. August discloses a system and method for

providing interactive dialogue and interactive search functions to find information

comprising collecting user information for use in the system.

It would have been obvious to one of ordinary skill in the art at the time of

invention to take the user information collection, both provisioned and learned, from

August and install it into the method of Ruppelt (as modified by Ho), thereby offering the

obvious advantage of obtaining results supposedly of more interest to the user. In this

combination, the learned information of the demographic information becomes a form

field for the provisioned data of user information so that if the user enters this data, the

system of August won't have to learn this information.

66.   **Claim 25** can be mapped to Ruppelt (as modified by Ho and August) as follows:

"The method of claim 24 wherein the demographic information supplied by the user is

maintained in a profile within the database" [August, col. 12, lines 44-47].

67.   **Claim 26** can be mapped to Ruppelt (as modified by Ho and August) as follows:

"The method of claim 8 wherein the Web portal is contained within a window, and

wherein the presented online set is displayed within the window" [Ruppelt, Fig. 3].

68.   **Claim 29** can be mapped to Ruppelt (as modified by Ho and August) as follows:

"The method of claim 26 further comprising:

- presenting a plurality of additional links within the window, whereby selecting one

    of the additional links redirects the user to a second presented online site"

    [Ruppelt, col. 3, lines 30-34].

69.   Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent No. 6,571,236 (Ruppelt) in view of U.S. Patent No. 5,884,302 (Ho) in

view of U.S. Patent No. 6,647,383 (August et al.), further in view of U.S. Patent No.
6,781,608 (Crawford).

70.   For **Claim 27**, Ruppelt (as modified by Ho and August) teaches: "The method of
claim 26."

Ruppelt (as modified by Ho and August) discloses the above limitation but does
not expressly teach: "...wherein the presented online site is made at least partially
opaque."

With respect to Claim 27, an analogous art, Crawford, teaches: "...wherein the
presented online site is made at least partially opaque" [Crawford, col. 15, lines 4-10].

It would have been obvious to one of ordinary skill in the art at the time of
invention to combine Crawford with Ruppelt (as modified by Ho and August) because
both inventions are directed towards showing documents.

Crawford's invention would have been expected to successfully work well with
Ruppelt (as modified by Ho and August)'s invention because both inventions use
documents. Ruppelt (as modified by Ho and August) discloses a method and apparatus
for problem diagnosis and solution comprising user interaction to provide users with
documents, however Ruppelt (as modified by Ho and August) does not expressly
disclose that the online site is made at least partially opaque. Crawford discloses a
gradual image display comprising a blurred image representation of an image and
controls to sharpen the image or accept it.

It would have been obvious to one of ordinary skill in the art at the time of
invention to take the image blurring and controls from Crawford and install them into the

method of Ruppelt (as modified by Ho and August), thereby offering the obvious

advantage of allowing the user to make a more informed decision as to whether to

accept or reject the selected document returned.

71.   For **Claim 28**, Ruppelt (as modified by Ho and August) teaches: "The method of

claim 26."

Ruppelt (as modified by Ho and August) discloses the above limitation but does

not expressly teach: "...wherein the presented online site further includes a displayed

control so the user can more clearly view the presented Web page."

With respect to Claim 28, an analogous art, Crawford, teaches: "...wherein the

presented online site further includes a displayed control so the user can more clearly

view the presented Web page" [Crawford, col. 15, lines 15-34].

It would have been obvious to one of ordinary skill in the art at the time of

invention to combine Crawford with Ruppelt (as modified by Ho and August) because

both inventions are directed towards showing documents.

Crawford's invention would have been expected to successfully work well with

Ruppelt (as modified by Ho and August)'s invention because both inventions use

documents. Ruppelt (as modified by Ho and August) discloses a method and apparatus

for problem diagnosis and solution comprising user interaction to provide users with

documents, however Ruppelt (as modified by Ho and August) does not expressly

disclose that the online site is made at least partially opaque. Crawford discloses a

gradual image display comprising a blurred image representation of an image and

controls to sharpen the image or accept it.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the image blurring and controls from Crawford and install them into the method of Ruppelt (as modified by Ho and August), thereby offering the obvious advantage of allowing the user to make a more informed decision as to whether to accept or reject the selected document returned.

72.   Claims 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,571,236 (Ruppelt) in view of Using HTML 3.2, Second Edition (Stauffer).

73.   For **Claim 34**, Ruppelt teaches: "The method of claim 32."

Ruppelt discloses the above limitation but does not expressly teach: "...wherein said step of displaying the online site or document comprises displaying the online site or document within a frame of the page."

With respect to Claim 34, an analogous art, Stauffer, teaches: "...wherein said step of displaying the online site or document comprises displaying the online site or document within a frame of the page" [Stauffer, page 192, Fig. 12.1 with Stauffer, page 193 1st and 2nd bullet points].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Stauffer with Ruppelt because both inventions are directed towards displaying HMTL documents.

Stauffer's invention would have been expected to successfully work well with Ruppelt's invention because both inventions use HTML and web browsers. Ruppelt discloses a method and apparatus for problem diagnosis and solution comprising

asking questions to the user, and the user selecting answers to obtain links to documents, however Ruppelt does not expressly disclose the use of frames in his HTML documents. Stauffer discloses a HMTL 3.2 comprising the use of frames in HTML documents.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the frames from Stauffer and install it into the method of Ruppelt, thereby offering the obvious advantage of gaining a different interface that supports the fixed interface elements of Stauffer.

74.   Claims 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,571,236 (Ruppelt) in view of U.S. Patent No. 6,178,420 (Sassano).

75.   For **Claim 38**, Ruppelt teaches: "The method of claim 37 wherein said step of associating at least one keyword with the predefined answer comprises the step of

Ruppelt discloses the above limitation but does not expressly teach:

- "...associating the at least one keyword to at least one root term, the root term being associated with the predefined answer."

With respect to Claim 38, an analogous art, Sassano, teaches:

- "...associating the at least one keyword to at least one root term, the root term being associated with the predefined answer" [Sassano, col. 19, lines 54-65].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Sassano with Ruppelt because both inventions are directed towards using keywords.

Sassano's invention would have been expected to successfully work well with Ruppelt's invention because both inventions use computers. Ruppelt discloses a method and apparatus for problem diagnosis and solution comprising asking questions to the user, and the user selecting answers to obtain links to documents, however Ruppelt does not expressly disclose associating the at least one keyword to at least one root term, the root term being associated with the predefined answer. Sassano discloses related term extraction apparatus, method, and computer-readable medium comprising finding terms based on keywords. These terms, in turn, are keywords.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the term extraction from Sassano and install it into the method of Ruppelt, thereby offering the obvious advantage of building a more complete database index for the user to search when keywords are used. This aids the user in finding more related results.

Conclusion

76.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Applicant is advised that, although not used in the rejections

above, prior art cited on the PTO-892 form and not relied upon is considered materially

relevant to the applicant's claimed invention and/or portions of the claimed invention.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Brent S. Stace whose telephone number is 571-272-

8372. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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